JERSEY CITY CONGREGATION CAN'T GIT IIS INDEPENDENCE.

Trustees of the Rev. Dr. John L. Scudder's Church Den staced for Proposing to Run the Tabernacle as a Dependency-Incidents of an Inharmonious Meeting. About four years ago the First Congrega-Church at Bergen and Boyd avenues on the hill united and adopted the name of the First Con-

in a fashionable part of the city, had not been paying expenses. It was chiefly through the efforts of the Rev. Dr. John L. Scudger, pastor of the Tabernacle, that the churches were amalgamated. Dr. Soudder was made pastor. At first he divided his attention impartially between the two churches, preaching in each on alternate Sundays. In time, however, he moved to the hill and took up his residence in the parochial house adjoining the church. The Tabernacle was left to the care of an assistant pastor. The last assistant pastor accepted a call to another church, and since then the Tabernacie has been practically without a pastor. The bill ceople got to calling it a branch of their church, and it is now recognized as

The Tabernacle people have resented what they regard as the neglect with which they have been treated and have made several unsuccessful efforts to establish an independent church. They say that the failure of their eftrustees of the First Congregational Church are attendants at the hill church and have their interests centred there. The Tabernacle people first asked for the free use of the Tabernacle and agreed to secure their own pastor and pay their own expenses. This was the building was so cold that a prayer meeting could not be held. The sexton was asked why there was no fire and he replied that there was no coal. He had received instructions from the trustees not to order any coal without authority from them. The Tabernacle people began to think it looked like a freeze-out, but they resolved to make one more effort to get the use of the provided the lease should contain a clause giving them the privilege of a renewal at the end ; Board of Trustees of the Tabernacle:

Board of Trustees of the Tabernacle:

"GENTLEMEN: Your letter of Feb. 20, 1900, received. When your committee was before us the renewal clause was thoroughly considered, and it was at that time our conclusion that no such clause should be inserted, and we see no arguments are now advanced in favor of such a clause, and we see no reasons for changing our minds on this question. The memorandum submitted to you at our meeting of Feb. 22 expressed our ultimatum, and, inasmuch as those whom you represent will not accept the same, we conclude that all negotiations which have for their object the forming of an independent church are at an end, we shall, therefore, put into effect the plans for the continuance of the tabetracle work which we have been endeavoring to formulate for some time, and as son as possible advise the tabernacle people of the same. Very truly yours, Bosko of Trustees First Congegerational Church Society.

"Frank H. Hall, Serverary."

The Tabernacle reople heard no more about

The Takernacle people heard no more about the matter officially until Friday night, when the Loard of Trustees dropped in unexpectedly after the prayer meeting and divulged their plan. A hot time followed their appearance, the Tabernacle people, men and women, availing themselves of the opportunity to tell the trustees what they thought of the action. The trustees what they thought of the action. The trustees present were Messrs, Gerson, Gould, Sperry, Craig, Rowland and Blake. Mr. Blake read the plan for the pontinuance of the Tabernacle work. It provides that Deacons Myron Kelsey and H. L. triswold. Trustees F. B. Sperry and Sydney thould and Treasurer James S. Whipple shall constitute a committee to conduct the affairs of the Tabernacle. The committee will provide the church with a pastor, defray all expense of the Tabernacle and assume charge of the church affairs generally. All moneys received downtown from rentals of the building, contributions, new rents and all other sources will be used exclusively for the lower branch. The Treasurer will attend to the paying of all bills out of this independent treasury.

"That is an infamous proposition," shouted one of the Tabernacle members when Mr. Biake had finished rending. There were cries of "Mr. Chairman" and "Mr. President," said Mr. Blake.

"Then we will have one," exclaimed a young The Taternacie people heard no more about

cond the motion," said another young

LIFTED FROM A BURNING HOUSE. Man and Woman and Two Children Rescued From Flames With a Rope.

A fire yesterday in the four-story double apartment house at 888 Myrtle avenue, Brooklyn, imperilled the lives of some of the occupants. The fire was discovered in the celiar by Mrs. Alice McDermott, the janitress. On one side of the fourth floor lived James Ambrose and his invalid wife and on the other side Washington Donovan, a widower, with his two children Washington and Ruby, 10 and 7 years old respectively. Upon the death of Donovan's wife a few months ago Mrs. Ambrose helped to look after his children while he was absent at his employment. He had left the house when Mrs. McDermott came across the fire in the cellar.

Mrs. McDermott ran up the stairs to the Mrs. McDermott ran up the stairs to the second floor screaming. She entered the flat of Mrs. James Corrigan and helped berand her child to the street. So rately did the fire spread that while these women were descend-ing the stairs Mrs. Corrigan's dress caught the Meanwhile the persons on the fourth floor had found escape by the stairs cut off. Donovan's children ran to a front window and cried for help. Ambrose helped his wife to a window and both shouled to men in the street to save them. William Baksall, a truck driver of 100 Spencer street passed the burning building on his wagon and saw the Donovan children. He snatched along rope from the truck and un lertook to enter the hase. The fire drove him out, so he hastened to the roof, going arrough an adjoina long rope from the free and the out, so he enter the hase. The fire drove him out, so he hastened to the roof, going inrough an adjoining building. He lowered the rope with a loop at the end from the cornice to the wandow where the Donovan children were and told them to get their bodies insife the loop and he would but them to the roof. They were too frightened to do anything. Then detectives Grosel and Thompson of the Vernon avenue

Parlanene, Pa., March 10. The War Department to-day notified the officers in charge the recruiting station here not to enders menance the condition here not to end stany the men for service in the Philippine Islands, its information is considered as standing as truthful the report that a new can for assessment men was contemplated by President

Judge Cowing's Wife Left Him \$82,000. The will of Hester A. Cowing, wile of Judge

NOTES OF LEGAL EVENTS.

The New York Mileage Ticket law, enacted by the Legislature of 1895, has been declared to be unconstitutional by the Court of Appeals, so far as it applies to railroad corporations which were in existence at the time of its passage. Its validity is maintained, however, as to companies incorporated since it went into effect, The statute in terms requires every railroad corporation operating a railroad more than 100 tional Church, known as the Tabernacle, in the | miles long in this State to issue mileage books lower part of Jersey City, and the Reformed | entitling the holder thereof to travel 1,000 miles on such railroad, for which the corporation may charge a sum not to exceed two cents gregational Church. The hill church, which is a mile. The Supreme Court of the United States recently condemned a similar act of the Legislature of Michigan, requiring the issue of .000-mile tickets at the rate of \$20 in the Lower Peninsula and \$25 in the Upper Peninsula, on the ground that the statute was an unconstitutional invasion of the property rights of existing railroad companies. The validity of our New York law was questioned in two cases—one against the old New York, Luke Erie and Western Railroad, the other against its successor, the new Erie Railroad Company. organized in November, 1855. The opinions are written by Judge Edgar M. Cullen of Brooklyn, one of the new members of the court, who demonstrates clearly the power of the Legislature to impose requirements on corporations to be formed in the future, which it may not impose on those already in being.

In the case of Osterhoudt vs. Osterhoudt forts is due to the fact that a majority of the disagreed most emphatically as to the pro- | gages as security. He also dealt in notes and per custody of the young daughters of a woman who obtained a Dakota decree of payments. divorce from their father-which decree is not recognized as valid in this State-and | Blumberg, a banker at 18 Pike street, with then married another man in New Jersey, with whom she is now living as her husband. refused by the trustees. A week or two ago | A majority of the court, speaking through Mr. Justice Ingraham, evidently think that supposing that the Dakota divorce was effeetual here; and that, inasmuch as her children are warmly attached to her and she has devoted her life to their welfare, they should not be removed from her care, even though she is technically guilty of a luitery under our law. Judge Barrett, on the other hand, writes Tabernacie. The trustees consented to lease a dissenting opinion, in which Presiding Jusit to them for one year. They agreed to this , tice Van Brunt concurs, dec aring that this is "the first time in the judicial history of any civflize I country where the custody of the children of the year. This was denied and the follow- of the marriage has been denied to the innoing communication was sent to the Provisional | cent plaintiff in a divorce suit and granted to the guilty defendant." He regards the reasoning in support of the conclusion of the majority as nothing but a specious and vicious plea for the laxity of the marriage relation.

Gov. Hill. writing in the North American Review for March on the needless multiplication of statutes, pays a deserved compliment to the paper on the tendency of the courts to sustain special legislation which Judge John Woodward of Jamestown read at the meeting of the Social Science Association last year. "It is an able presentation of the question," says the former Governor and Senator, "and does infinite credit to this accomplished jurist. In well-chosen words he deprecates the previous tendency of some of our courts to sustain special legislation and urges a rigid adherence to the obj-fashioned doctrine of a siriet construction of Constitutional prohibitions against the exercise of legislative power." He adds that Judge Woodward,s paper can be read with profit by every Julke. lawyer and student in the country. It may be observed that no one in this State has made a stronger stan I judicially against the tendency he criticises than Judge Woodward himself, This is illustrated by his opinion in the Brooklyn Appellate Division in the matter of Henneterger (25 Appeilate Division Reports. pure 164 condemning a highway law, general in form, but which really could apply only to the town of New Rochelle. A majority of the court of Appeals held with him that the legislation was unconstitutional.

We have received a letter from Mr. Robert D. Benedict, the distinguished admiralty lawyer, in reference to the bill before the Legisalready admitted to the bar in the Federal dory loads of men, amused the grizzled old courts in this State and who have practised Then we will have one," exclaimed a young in those courts for a period of two years.
Then we will have one," exclaimed a young in those courts for a period of two years.
This measure has been criticised as ob-"Second the motion," said another young woman.

"There is no need of a chairman," explained Mr. Blake. "We are not to vote on this matter. We simply came here to submit this plan to you and see it it is satisfactory. It has been adopted by the Board of Trustees and will govern the Tabernacle in the future."

Trustees Sperry said in part: "The Board of Trustees is in control; let that be distinctly understood. The pastor who will preach here will be of your own selection. The Treasurer is one of your own selection. The Treasurer is one of your own members. None of the money real zed here will go to the bill. I see no reason why you should not work with us and get clear of all this wrangle."

The discussion showed that the Tabernacle was not likely to be reconciled to the new scheme. in the Federal courts in some other State. If a New Jersey or Connecticut lawyer moves to New York and wants to be admitted to our bar without examination, he must show that he has practised law in his own State for at least three years; yet this bill requires but two years' practice by those who would come in through the Federal bar.

There has been a bitter controversy in Milwaukee concerning the regulation of street railway fares in that city, which has just been settled by a decision of the Supreme Court of Wisconsin, upholding the power of the City Council to regulate the matter. An ordinance was proposed establishing a four-cent fare during certain hours of the day, for five years, and during all hours of the day at the expiration of that period. Apprehending that it would be adopted and approved by the Mayor. an equity suit was instituted by some citizens, who obtained a restraining order from a Judge of the Superior Court of Milwaukee. Acting under legal advice and the claim that their legislative authority could not be interfered with by the judicial branch of the Govterfered with by the judicial branch of the Government, the City Council a lopted the ordinance. Proceedings were begun to punish the members for contempt, and the case was taken to the Supreme Court, which has not sustained the position of the tity Council in all respects. The corporate privileges with which the ordinance deals are held not to be like funds or property held in trust for the citizens and taxpayers of the city. The Legislature grantel to the municipal authorities power to regulate these tranchises and the power thus delegated may be exercised without control by the courts.

The office of Police Magistrate is no sinecure in St. Paul, if we may form a fair estimate of the work on the crimi sal side of the Munteiral Court in that city from a letter addressed by one of the Juages to the St. Paul Dispatch. In one month he had 1,10s cases on his calcular. The maximum number to be disposed of would the to see Corporation Counsel Whalen. The committee then went to Mr. Whalen, who case," he says—"and I apprehend that few persons will consider that too long a time to devote to ascertaining the facts on which a man's literty may be denied him for ninety days—the average day's work during that month would consume 440 minutes, or something overseven hours a day." This statement is made in answer to a report by the consulation for the department were receiving less than the union wates. Mr. Keiler pointed out that the consulation for a latition to the same in the elevent heart in a latition that the consulation for a latition that the consulation for the prevailable of the prevailing ratio of wages. The committee retired expressing satisfaction.

Another committee, from the Counsel Whalen. The committee ratio Mr. Whalen, who committee ratio all consulting satisfaction.

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Another committee, from the Counsel Whalen. The committee ratio of wages. children and they were raised to the roof.

Mrs Ambose was resetted next hasimilar manner and then ter huse and

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Mrs. Ambose was resetted next has been some to a report by the grand Jury finding fault with the methods of procedure in the Municipal Court, especially because the investigations are too protracted. The Judge—whose name is Robert C. Hine—report of the care the Grand Jury in a breezy way that is presson to believe that the fire was of incendiary. is made in answer to a report by the these Grand Jury finding fault with the methods

The Supreme Court of Appeals of Virginia slately decided that an oil an I gas well situwithin seventy feet of a dwelling house will presumptively constitute a naisance to the large majority flags. It is shown that the operation of such a well may properly be testrained by injunction, unless it is shown that it can be operated without exposing the neighboring lan owner to loss or danger. The Court says that the evidence of expert wincesses would be required on this sould be required on this say free the court of the custody of John P. I seney, adjuster of the matter a state-may properly be testrained by injunction, unless it is shown that it can be operated without exposing the neighboring lan owner to loss or danger. The Court says that the evidence of expert wincesses would be required on this say like defeated by a large majority Judge H. T. Campbell.

Will presumptively constitute a naisance to the inmates, and that the operation of such a well may ecoupany, to whom he made a state-ment, this said that he did not see Miss in continuent when the calculation of such a well may recompany to whom he made a state-ment, this said that he did not see Miss in continuent when the calculation of such a well may recompany to whom he made a state-ment, this said that he did not see Miss in continuent when the calculation of such a well may recompany to whom he made a state-ment, this said that he did not see Miss in continuent when the calculation of such a well may recompany to whom he made a state-ment, this said that he did not see Miss in continuent, the calculation of the control finfus B. Cowing of General Sessions, illed for brotate yestersiay, haves all her property to her husband and names him so a executor. She leaves \$20,000 in realty and \$2.000 in fermance in the operation of such a well may properly be testrained by injunction, un-

POLICE HOT AFTER MUSHER. CREDITORS OF A VANISHED EAST

SIDE NOTE BROKER LAMENT. Detectives Found the Man's Brother and Father-in-Law on the Lucania With Tickets for Three-Broker Not Found-

Notes in One Case Declared Forgeries. Nathan Musher of 156 Henry street, a broker Tuesday last. Yesterday he was to have sailed for Europe on the Lucenia. The police were Musher. Whether he got away on the vessel or escaped ashore while they were searching for him is not known. In stateroom No. 6 the police found Isaac Greenberg of 16 Rutgers street. Musher's father-in-law, and Morris Musher, Musher's nineteen-year-old brother. They had tickets for three, which had been ssued in the name of Goldberg. They said that Nathan Musher had left the vessel fifteen minutes before the police arrived. Greenberg and young Musher were put under arrest and taken to Headquarters, where they were held on the technical charge that they had aided a fugitive from justice to escape.

Nathan Musher is 26 years old and live lat the address given with his wife and children and parents. He has been doing a sort of a banking business on the East Side for four or five years and has had a lot of friends. He made a specialty of lending sums of four or (62 N. Y. Supplement, 529) the Justices of the five hundred dollars to men about to start in Appellate Division of this department have business, taking their notes and chattel mortfinanced the sweat shops for the Saturday On Tuesday afternoon Musher went to Isaac

whom he had done much business, and gave him a check for \$6,000, saying that he was short of eash and wanted eash for it. Blumberg had only \$4,300, which he sent the mother's only fault was her mistake in i to Musher with a check for \$1.700. Musher rushed around to Blumberg's place and had the check certified. The same afternoon Musher sent two checks for \$200 each to Andrew I., Drummond of Drummond's Detective Agency and assed him as a personal tayor to send him cash for them. Drummond had a business friendship with Musher an hurrying out, got the money in small sums from differents and sent it to Musher. It was substantially learned that Musher took the \$1.25 each of the

business friendship with Musher an Jurrying out, got the money in sinuls sums from different entities and sentit to Musher. It was subsequently learned that Musher took the 6:25 train for Montreal that Musher took the 6:25 train for Montreal that night.

The next morning Blumberg got a telephone message from Musher in Montreal, saving that Musher was stopping at the Grand Union Hotel; that he had been forced to go away for a few days, but that everything would be all right. A few hours later he got a telegram from Musher, saving: "I paid \$18 to telephone to you. Don't worry. Fit settle with Feinberg. Don't worry. See you Monday."

So omen Feinberg is a retired merchant, living at 1:4 Canal street. He had done some business with Musher, who owes him about \$2,000. Some notes Musher had sold to Blumberg bore Feinberg's sizuature. After receiving these communications from Musher, Blumberg took the notes around to Feinberg. Feinberg said that the notes were forgerles. He and Blumberg then rushed toward Essex Market court and warrants were issued for Musher's art ston their compinint, Warrants were given to Central Office detectives, who, accompanied by Blumberg, wunt to Montreah At the Grand Union Hotel there they bearned that Musher and two other mon had take a morning train for New York. They immediately returned to this city, and, belleving that he intended to go to Europe had the steamships watched.

Morris Musher, alter his arrest, sald that his

ing that he intended to go to Europe had the steamships watched.

Morris Musher, after his arrest, said that his hoother had been hiding in Jersey City since Friday morning. Anirew L. Drummond, when he heard of Musher's disappearance, got out natachments against his deposits in several banks. It was found that the deposits in all these banks didn't equal the amount of Drumping Science. these banks didn't e-jusi the amount of Drum-ine ne'ls claim.

Dr. Alexander Rosenthal of 154 Henry street said last night that he had leaf \$7,000 to Musher, the loans teing secured by notes which he now lears may be worthless. The money Musher has secured is estimated at all the way from \$20,000 to \$150,000.

The state Bank in Grant street holds notes for \$3,000 or \$4,000 which it got from Musher. They are endorsed by Blumberg and President Bichard of the bank believes that they are all right.

DUCK, WHALE AND MEN IN A CHASE, The Whale Got the Duck, But the Men

Didn't Catch the Whale. PROVINCETOWN, Mass., March 10,-A wounded shelldrake fluttering along the surface of the York bar, without examination, of persons and the latter being, in turn, chased by three houses Thursday afternoon. The usual gang This measure has been criticised as ob- of retired ashermen and sailors had collected sectionable on the ground that admission this particular afternoon and as nearly every one was armed with an ancient telescope a yarin length or a pair of fleid glasses worn to the brass from constant use, there was little, if any-thing, that escaped that battery of lenses. sewhere, or a member of the New York State | bird that was fluttering about a mile offshore

Finally, one old sail or called attention to a bar. Of course the bill could be of no avail to and, after some discussion, another declared the latter class. It must be intended for the | that there was a white whale in pursuit of it. benefit of some person or persons admitted to | This was disputed for a time, but as the bird and whale came nearer to shore, it was seen plainly and the crowd began to tremble with excitement. The whale was a little fellow, about twenty feet long and white as mik, but it was so clumsy in its movements that the wounded bird would jump about ten feet every time the whale tried to swallow it. The chase was a long one, and for a time the shelldrake was safe, but after a time the whale got nearer and finally the bird falsed to reappear a ter diving to escape its rursuer, and the old saits agreed that it had been guiped down like Jonah. plainly and the crowd began to tremble with

agreed that it had been guiped down like Jonah.

Meantime a dory with two men at the oars and a third perched in the bows armed with a harpoon hal put out from shore with the firm intention of steking an "Iron" into that whale, but the game between the duck and whale was so prolonged that the boat could not get within striking distance. After the fowl had been gobiled up as easily as a trout would take a fly, the whale moved off toward the westward, apparently attracted by the mooring buoys, which resemble wild fowl squatting on the water. Two other dories had joined in the chase by this time, but the whale simply played with them. When a boat came near enough to strike the whale would guistly sink below the surface and after a brief spell arise in some unexpected quarter. This was discouraging work for the oarshen and after an hour or more of dodging about the bay, the two latest whalers gave up the task in disgust, but the first hoat out stuck to it and at one time almost got an iron in the whale. Finally, it disappeared and was seen no more and the fishermen on the end of the wharf allowed that he had 'swallered himself."

BOUND TO KEEP WHALEN IN LINE. Labor Union Men Keep at Him About the Prevailing Rate of Wages Grab.

A committee of delegates from the Metal Trades Council called vesterday on John F Carroll, one of the three Johns to whom Croker has intrusted the leadership of Tammany Hall during his absence, in reference to the prevailing Rate of Wages law as applied to their trades. Mr. Carrol said that he was in entire accord with the law, and advised the committee to see Corporation Counsel Whalen. The of the union rate would be \$500,000 a year.

FUGITIVE MOTORMAN FOUND.

plies to the Grand Jury in a breezy way that is the reshing: The report of the Grand Jury forther claims that the trials should be summer and in absolute disregard of any rights of the defendants that may be guaranteed them by the Constitution or the statutes of the true and if the defendants are aggreed they can appeal. The trials are summer now, each there is a summer trial does not mean an utconstitutional trial. These seem like the sentiments of the right man in the right place.

Says He Thought He Was Going to Be Lynched, So He Ran Away.

Benjamin Hill, the motorman of the trolley car which killed Bertha Ingold in West New York on Thursday night, was found yesterday sitting on a rock near Floral Park, North Bergern He fled immediately after the accident. He was discovered by two men employed on the North Hudson County Italway. When the North Hudson County Latway. When they approache! Hill started to run, but finally toy approached to return with them to his home at them had, been striving at his kome he was alward under arrest. He was released later in the control of them P. I have released at the control of the property adjuster of the

THE OPERA. 'Les Huguenots' Given With an Excellent

In last night's performance of "Les Huguenots" it was M. Cornubert as Raoul who supplied the unfamiliar element to be found in hearly every representation at the Metropolitan in one particular or another. M. Cornubert has been heard now in three roles, They are Vasco di Gama, Romeo and Raoul. and money lender, has been playing hide-and- Two of these have been duly noted seek with the police. He disappeared on and it might be worth while to say something about the third were it not for M. Cornubert's decision to return to France. Tenors are not on hand before the vessel sailed but didn't find | so scarce at the Metropolitan just now that their services are prized as they never were before. Yet, M. Cornubert returns to France.

fore. Yet, M. Cornubert returns to France. In view of this determination, there seems no need to discuss what he did last night as Raoul. But it is not superfluous to say that it was entirely what was expected from his previous performances.

The audience last night had the opportunity of hearing more than the usual number of stars offered at the popular priced Saturday night performances. Mmes, Nordica and Mantelli and M. Elouard de Reszke were in the cast and the only difference between last night's representation and that given two weeks ago in the regular subscription series was the substitution of M. Duirichs for M. Plançon as St. Bris and the appearance of M. Cornubert in place of M. Protti. Naturally the audience was moderately large. Mme, de Vere sady with facility the Queen's florid phrases, and Mme Nordica's performance was up to the usual high standard. While it cannot be said that enthusiasm ran very high atany point, the audience seemed to enjoy itself. And it had ample cause to. Persons who meglect these popular priced performances under the impression that they are poor are losing the opportunity to hear excellent operatic representations.

"CARMEN" AT THE MATINEE. A Great Audience at the Metropolitan Yesterday Afternoon.

"Carmen" was the opera yesterday afternoon at the Metropolitan Opera House and Mme. Calvé was the Cirmen. These facts are suggestive to the sophisticated New Yorker. It would take only a slight acquaintance with matters operatic to enable one to say with certainty that the audience was a large one. It was more than that yesterday because the weather with every other circumstance favored the collection of one of the great crow is that gathered from all parts of Greater New York and even more distant points can bring a jam to the theatre when "Carmen" or "Faust" is sung with Mme. Calvé in the leading rôle. I might not be very interesting artistically, but it would be highly profitable if Mr. Grau could arrange for his répertoire to contain only arrange for his repertoire to control only "Faust" and "Carmen." Mmc. Caive's health might not be equal to such a prolonged strain, but it seems certain that the public's appetite for these two works will never be satisfied until some such generous suprly of New York's favor'te over a 18 provided. But it must be remembered that Mmc. Caive's presence is a condition precedent to such a season. There is little doubt, however, that it would be immensely profitable to Mr. Grau, That wise manager gives the public novelities to satisfy a fanciful demand which has no existence in resilty. He knows what the public realty wants in contradiction to what a few persons claim it wants.

wants in contradiction to what a low persons claim it wants.

Mme. Caive's performance requires no new phrases. Yesterday it was the same in its wonderful combination of real genus for the theatre and an unequalied talent for dramatically expressive singing. M. Salignac, who is an excellent Don José, was in the east yesterday afternoon and M. Plangon's overwhelming toreador was one of its other catures. Mme. Eames's lovely performance of Micacla was to be enjoyed along with the other good things in the performance. She and Mme. Caivé embody different types they are supposed to represent. Sig. Mancinelli conducted.

THEATRICAL NOTES.

Mme. Modjeska in "Much Ado About Nothing"-Eilen Terry Won't Appear This Week. Helena Modjeska and her company revived

"Much Ado About Nothing" at the Fifth Avenue yesterday afternoon. The audience was at times genuinely enthusiastic, though it was small as to numbers. Mme. Modjeska's Beatrice had not a trace of her Lady Marbeth or her Mary Stuart. She was bu yant, at times coquettish, and in appearance alm ist youthful. Her perormance showed a light-hearted, brilliant gitl intil the church scene, when all her dignity came to her in her anger at the false charges lature providing for the admission to the New | water, clo-ely pursued by a small white whale | against Hero. Particularly well thought out | and executed was her persuasion of Renedick | to avenge the insults to her cousin. Mr. Keilerd's fenetic was excellent in some points, but he ed to bring out other than the con the character. John Maigne's rey Whiter's Friar Francis, Kate Daiglish's count Mary Hall's Ursula were commendate performances. The remainder of the impany were not ridiculous, neither were n was received yesterday at the

A telegram was received yesterday at the Knicke-booker from an Henry Irving saying that Lilen Terry's lilness would prevent her from appearing in "Robespierre" here this week. It is expected that she will be able to play by the 11th. Mauel Milton will take her place. Robert Hilliard has been engaged for the Robert Hilliard has been engaged for the princil al part in "Woman and Whine," which is to be presented at the Manhattan soon.

A report was circulated yesterday that Charles Frohman intended leasing the Schley Music Hall and turning it into a theatre nixt season. Mr. Frohman said when asked about it: "Where is the Schley? I haven't heard of it." The chart nevers it subjects.

it." That about covers the subject. Supplementary Season of Opera

It was announced last night at the Metropolitan Opera House that a supplementary season of two weeks would begin at the close of the regular season on March 31. Eight performances will be given. They are out of the regular subscription and will comprise only he regu ar three evening representations and Saturday matinee. Subscribers may retain their regular scats by notifying the man-agement.

NOTES OF MUSIC EVENTS.

Metropolitan Opera House for the first time since the 18:4-92 season. Then Mme Lehmann was heard in the leading tole. This week the opera will be sung by Mmes. Ternina and Pevny and MM. Dippel, Fringle, Bertram, Ereurand Muhlmann. Emil Pair will conduct. On Monday evening "Tristan und Isolde" will be sung by Mmes. Ternina and Schumann-Heink and MM. Van Dyck, Van Rooy, Pringle, bener, Meux, Bars and Edonard de R szke. Wednesday "Lohengrin" will be sung by MM. Dippel, Bertram, Mahlmann and Edouard de Reszke. At the Saturday matines "Faust" will be sung by MM. Van Dyck, Scottl, Meux and Plancon and Mines. Calve, Manielli and Battermeister. This will be M. Van Dyck's first appearance here as Faust. Mme. Sembrich will sing Rains in "Il Berbiere di Seviglia" at the Saturday evening performance.

the atternion series of Nibelunton Ring per-formances in their entirety. The cast will be the Yuchin, Havnan. the afternion series of Nibelunten Ring persame that appeared in the opera saveral weeks are. On Monday evening Mme Calve will sing in "Faust" at the Brooklyn Academy of Music.

Mme. Sembrich's song recital at Carn gie Hall on Tuesday afternoon promises to be one of the most interesting events of the musical season. She is has never been beard here before in recital. Si Mancinelli has kindly volunteered to accompany th singer in the modern French and Ital an number tich include two songs of his own composition sidore Luckstone will be the accompanist. It w e an education in the art of singing to hear Min Sembrich in the varied numbers the pr gramm The programme for to night's concert at the M tropolition is as follows:

M tropolition is as follows:

Overlure. "Entfuhrung aus dem Serall," Mozar

'It Est Doun, iderodiade" Masseus

Susen Strong.

Aria, "Lituani," (first time) Ponchiell

Aria, "Odysseus." Max Brushims. Scannann-Heink

Andante Spianato et Grand Polonaise Brillante.

M. De Pachmann. Chepu M. De Pachmann. Chopin

"Voi Cha Sapete." ("Le Nouse di Figaro"), Mozar

Sasanne Adam: Rimsky - Korsahos

"tretchen Am opinirade" Schuber

Susan Strong. Rossi S.z. Campanari

Emil Pour will conduct the orchestra. Mr. Morgan's Jekyl Island Party. BRUNSWICE, Ga., March 10.-J. Pierpont Morgan and party arrived on their special train at noon to-day en route to Jekyi Island.

"Bei uns zu Haus"...

TO PASS MORTGAGETAX LAW

THAT WAS AGREED ON AT THE ROOSEVELT-PLATT CONFERENCE, Fate of the Horton Law Repeal Bill Unde-

cided-Prof. Jenks Called Into Confer-

ence on Trust Legislation - The Prospects of the Policy Bill are Interesting. Only one measure of importance was definately decided upon at the breakfast yesterday morning attended by Gov. Poosevelt. Senator Platt and Chairman Odell of the Republican State Committee. The Stranahan Mortgage Tax bill as amended is to become a law. Much diversity of opinion has marked the progress of this bill, and while it is not believed the bill will be made the subject for caucus action, nevertheless every reasonable influence will be used to have it reach the Governor for his signature.

The fate of the Horton law repeal bill is still in the balance.

The Governor, naturally, is greatly interested about the confirmation by the Senate of the Forest Fish and Game Commissioners named Forest Fish and Game Commissioners named by him some time ago. In the end the Governor's wishes will, without doubt, be gratified, but one or two of the Republican Senators believe in the policy of "holding up the Governor" in order to reap other advantages.

There was some discussion yesterday morning as to the proposed trust legislation and Prof. Jenks of Cornell University was called into the conference. Somebody said "Prof. Jenks is an expert on trusts, he is a great man on all trust matters, including proposed legislation." Somebody also said: "While the professor may be a great man in that charming lation." Someboly also said: "While the pro-fessor may be a great man in that charming little study of his at Ithaca, and doubtless is an expert in his way, yet those gentlemen with glossy silk tiles and faultiess attre who has at the lobbles and antercome at Albany are also the lobbles and entercome at Albany are also very expert in their way; in fact, quite as expert in their line as Prof. Jenks is in his?

The greater unk to be digested at Albany, however, is the Policy bill. Some of the statemen in town yesterday gravely announced that the possibilities in this bill were quite proligious. It was far reaching and so forth, and keen eyes and eager hands are essentially and practically interested in the fate of this bill.

COFFEY'S TRIAL ENDED. Red Hook Senator Put in No Defence

Charge Was Political Treason. The trial of Senator Michael J. Coffey for treason to the Democratic machine in Kings county was wound up last night. In accordance with the announcement made by Jesse M. Kapper, counsel for Senator Coffey, on Friday night, the defence put in no appearance last night, the Committee of Five having refused to grant any further delay. Henry J. Furloug.

counsel for the prosecution, sail: "I have been convinced all day that the defence never honestly int nded to deny the charges of political wrongdoing, and I am not surprised that the white flag has been hung out to-night. All this talk on their side about calling hundreds of witnesses was mere bluster. They have only been waiting for an opportunity to throw up the sponge. Like a horse driven into a paddock, the first chance is taken to bolt defence. It is perfectly obvious that neither Senator Coffey, nor his assontes had any honest defence and their excuse was palpably an untruthful one. They have been clearly convicted of traitorous designs against the Democratic party of Kings county. and they are unworthy to belong to such an honored and esteemed organization. This committee, too, has full power and authority to discipline them."

to discipline them."

Mr. Furlong said that he would submit a brief within three days. Chairman Mazuire, after consultation with Senator McCarren and the other members of the committee, made this anno oncement:

"In view of the definit attitude of the defendants, there is no other course open but to declare this investigation closed."

The committee will meet during the week to consider its vertice. It is a foregone conclusion that Senator Coffey and his lieutenants in the Ninth Assembly district will be pronounced guilty and that the most severe sentence within the rules of the organization will be imposed.

BURGLAR ALARM ON POOR BOX. It Went Off and Hennessy Was Captured

in the Vestibule. An electrical alarm attached to a poor box n St. Mary's Ca holle Church, Newark, went off yesterday. Two Christian Brothers ran medick from the rectory into the church and found baniel Hennessy fu the vestibule. He pro-but he dissipated in the suit that a man had but he just harried out of the church. Hennessy is eighteen years old and lives at 375 Plane street, Newark. He was locked up.

> Lady Mary Sackville Here to Visit the Goulds. Lady Mary Sackville arrived yesterday from Southampton aboard the American liner St. Land and went immediately to Lakewood, N. J. where she will stop at the home of George Goods. Mrs. Kingdon, the mother of Mrs. George Gould, and Caot. T. D. Tod met Lady Sketville at the pier. She is a sister of the Earl Delawarr and a relative of Lord Salisbury. She is an expert golfer and will play the game with some of her American sisters while she is here.

MARINE INTELLIGENCE. MINIATURE ALMANAC-THIS DAT.

Sun rises 6 21 | Sun sets. 6:02 | Moon rises ... 8:36 HIGH WATER-THIS DAY. Sandy Hook ... 4:08 | Gov I'd ... 4:40 | Hell Gate 6:33 Arrived-Saturday, March 10.

S. transport M. Pherson, Byrne, Newport News, C. S. transport M. Pherson, Byrne, Newport Ne March 9.
Se Etruria, Watt. Liverpoel, March 3.
Se St. Paul, Jamison, Southamptot, March 3.
Se L'Aduttaine, Perrot, Herte, March 3.
Se L'alatia, Ressang Hamburg, Feb. 24.
Se Nerge, Knutson donenharen, Feb. 25.
Se Lori Warwick, Rawlings, Greenti Jan. 31.
Se Liandar Cup, Carly, Brist, L'Feb. 24.
Se Bator, Pavis, Baltimore, March 8.
Se() watan, Robertson, Campette, Feb. 23.
Se Catama, Bode, Yokohama Dec. 21.
Fellewisham, Cobb. Pernambuco, Feb. 5.
Se Comal, Evans, Calvedon, Mer. 13.
Se Guyandotte, Hiller, Norfolk, March 9.
Se Goldsboro, French, Paliadelpha, March 9.
Bark Alite and Isabella, Gobelner, Les Sal

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S. La Gascogne, from Havre for New York, S. Taurie, from Liverpool for New York, S. Campania, from Liverpool for New York,

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THE RESCUE OF GILMORE.

Col. Hare Writes That He Deserves No More Credit Than the Privates.

AUSTIN, Tex., March 10,-Adjutant-General Thomas Scurry to-day received a letter from Lieut.-Col. Luther Hare of the Thirty-third United States Volunteer Regiment, now in the Philippines, detailing the work of his men in rescuing Lieut, Gilmore and other American naval prisoners. He incloses a copy of the fol-

lowing:
VIOAN, Jan. 9, 1900.—Chief of Staff, Manila.
Hare and Howze just arrived with all prisoners.
Their work unparalleled. I urge that Hare and
Howze be appointed Brigadier-Genera's of
Volunteers and officers and men, who will be
mentioned by name, for medals of honor.

Col. Hare is a Texan and he speaks of Capt.
Howze of the Thirty-fourth Regiment as follows:

lows:

"Howze is a grand, good soldier and I am so proud of him and of his being a I exan." He also says: "The strugge for the release of offlmore was purely individual as the country passed over made it necessar, for every man to furnish his own transportation. I simily deserve credit equal and no more, with every private who was there."

M. K. & T. IN TEXAS.

Contemplated Use of Southern Pacific Bailroad Tracks Stirs Up Opposition. DALIAS, Tex., March 10.-President Henry . Rouse of the Missouri, Kansas and Texas Railway is inspecting the company's property in Texas, and he has also been stopping for a few days at the Tarpon Fishing Club on the | colors, Guif Coast, near Rockport, with E. H. R. Green. The people of San Antonio are anxious to learn President Rouse's intention concerning the Missouri, Kansas and Texas extension from San Marcos. It is rumored that instead of building directly to San Antonio, President Rouse's company intends to make a running arrangement with the Southern Pacific and use that company's tracks. It this is so an effort will be made to annul part of the Missouri, Kansas and Texas charter privileges as granted by the Consoldation act of the Legislature at the session of 185%.

It was reported here to-day that the Missouri, Kansas and Texas Railway Company had given notice of its withdrawal from membership in the Southwestern Freight Committee. If this is so, a Texas freight war is almost sure to result George J. Gould and party, who have been inspecting some of the Gould Southwestern properties, left for the east last night. Marcos. It is rumored that instead of building

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DIED.

West 130th st., New York city, William R. Glen, Funeral at the house, Sunday, March 11, 1900, at

2 o'clock. HALL. -At Montclair, N. J., Saturday, March 10, 1900 Annie Elizabeth, wife of Robert M. Hall. Notice of funeral hereafter.

HARDENBROOK. -On Thursday, March 8, 1900, at his residence, 142 West 78th at., New York city. Benjamin C. Hardenbrook. Funeral services at his late residence on Sunday, March 11, 1800, at 2:80 P. M.

HUBBARD, -On March 9, 1900, Oliver Payson Hubbard, LL D., late professor of chemistry, mineralogy and geology, in Dartmouth College, Funeral from his late residence, 117 West 55th st. on Mon lay, March 12, 1900, at 11 o'clock. Inter-

ment at New Haven, Conn. MOLO At his residence, 124 Lerington av., Mar-

Funeral services from 806 East 86th st., n ar Second av., this Sunday, March 11, 1900, at 1:30 P M. Friends and members of the Swiss Benevo lent Society, of the Società Tic ness di Mutuo Soccorso, of the Swiss General Society and friends of his brother, William P. Molo, are respectfully invited to attend. Interment at Woodlawn.

MOORE. - At her home in Atlantic City, N. J., on Fr.day, March 9, 1900, Mrs. Ann Moore, mother of William T. Moore. Burial service at Evergreens Cemetery, Sunday at | moderate prices at which the goods are

McCOY. -On Friday, March 9, 1900, at her home in Cold Spring. N. Y., Angeline Phillips McCoy, wife of the late Levi H. McCoy, in her e7th year. Funeral services at Presby terian Church, Monda,

PHELPS. - In New Haven, Conn., March 9, 1900, Edward J. Pheliss, aged 77.

Funeral services will be held in Battell Chapel, New Haven, Sunday afternoon, March 11, 1:00, at 8 o'clock. Interm at at Burilag on, Vt. POST .- On Saturdas, March 10, 1900, at his

resid nes, 523 Mad.son av., of pueumonia, William Post. Funeral services will be held on Monday, March 1 00, at 3 P. M. at the Church of Heavenly Rest.

RAND, -On Friday, March 9, 1900, at his residince, 400 West End av., Addison C. Rand, in the 50th year of his age.
Funeral service at his late residence on Sunday irch 11, 1500, at 8 o'clock Interment at Westfield, Mass.

STEVENS.- On Saturday, March 10, 1900, at 87 Fifth av., Robert I.v.nuston, Jr., son of Robert Livingston and Mary S. Stevens, aged 4 months.

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